

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
Statesville Division

CROWN EQUIPMENT CORPORATION,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 5:23-cv-00059-KDB-DCK
	)	
DAVID BRADY, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**DEFENDANTS' UNCONSENTED MOTION TO CONSIDER BRIEF BEYOND**

**PAGE LIMIT**

Defendants, David Brady, William Tucker, Brawtus Holding Company, Inc., Brawtus Management Company, LLC, and Pneu-Mech Dissolution LLC (formerly known as Pneu-Mech Systems Manufacturing, LLC), hereby submit this motion for the Court to consider its Reply Brief submitted on September 25, 2023 (ECF 45), in response to Plaintiff's Memorandum in Opposition to the Motion to Dismiss. When undersigned counsel submitted the Reply Brief, they believed they had complied with the Local Rules of the District Court for the Western District of North Carolina (specifically LCvR 7.1), which limit all briefing to 25 pages; however, undersigned counsel failed to appreciate Judge Bell's standing order limiting reply briefs to 12 pages. Undersigned Plaintiff's attorneys brought this to the attention of Defendants' counsel this morning. Having conferred with Plaintiff's counsel, it is their position that Defendants should withdraw the reply altogether.

Considering the complexity of this case and the numerous causes of action against various Defendants (of whom there are five), Defendants' counsel respectfully request that this Court consider their Reply Brief at its current length. In the alternative, Defendants' request that this Court grant an extension allowing Defendants' counsel to file a shortened version of their

Reply Brief by the end of the week. Defendants have attached two alternative proposed orders, should the Court decide to take curative action. Undersigned counsel apologizes for this oversight and will be mindful of this Court's page limits in the future.

Dated: September 26, 2023

BY COUNSEL

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**ORDER GRANTING DEFENDANTS'**

**MOTION TO CONSIDER BRIEF BEYOND PAGE LIMIT**

Having reviewed Defendants' Motion to Consider Brief Beyond Page Limit, the Court finds that it should be granted. It is therefore ordered that the Court will consider the 20-page Reply Brief submitted on September 25, 2023 (ECF 45).

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United States District Judge

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**ORDER GRANTING DEFENDANTS'**

**REQUEST FOR EXTENSION TO SUBMIT REPLY BRIEF**

Having reviewed Defendants' Motion to Consider Brief Beyond Page Limit, the Court finds that the undersigned Defendants should be granted additional time to file a Reply Brief that is no more than 12 pages. It is therefore ordered that the undersigned Defendants may file a replacement Reply Brief that is no more than 12 pages on or before September 29, 2023 (ECF 45).

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United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on September 26, 2023, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which served the foregoing on the following counsel of record who are CM/ECF participants:

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